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Customer Number 22,852  
02 APR 15 PM Attorney Docket No. 1147-0142

#33  
4/18/02  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of: )  
U.S. Patent No. 5,750,338 )  
 )  
Mark L. Collins et al. ) Group Art Unit: 1655  
 )  
Reissue Serial No.: 09/533,906 ) Examiner: Diana B. Johannsen  
 )  
Reissue Application Filed: March 8, 2000 )  
 )  
For: TARGET AND BACKGROUND )  
CAPTURE METHODS WITH )  
AMPLIFICATION FOR AFFINITY )  
ASSAYS )

**BOX REISSUE LITIGATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**SECOND SUPPLEMENTAL REISSUE DECLARATION  
UNDER 37 C.F.R. §§ 1.172 and 1.175**

As a duly authorized representative of the assignee of the entire interest in this patent, I, Norval B. Galloway, do hereby state and declare as follows:

1. I am the counsel of record for Vysis, Inc., the Assignee of the entire right, title, and interest in U.S. Patent No. 5,750,338, as set forth in the Reissue Declaration filed March 8, 2000, and the Supplemental Reissue Declaration filed March 8, 2002, and, accordingly, I am empowered to sign this paper on behalf of the Assignee.

2. All errors which are being corrected in the present reissue application up to the time of the filing of this second supplemental oath/declaration, and which are not covered by a

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prior oath/declaration submitted in this application, arose without any deceptive intent on the part of the applicant.

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

VYSIS, INC.

April 12, 2002

Date

Norval B. Galloway

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